

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA,)	
)	Case No. 1:07CR00019
)	
v.)	
)	FINAL ORDER
)	
JOEY FRANKLIN PHILLIPS,)	By: James P. Jones
)	Chief United States District Judge
Defendant.)	

For the reasons set forth in the Opinion accompanying this Final Order, it is **ORDERED** that the Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C.A. § 2255 is hereby DENIED.

Based on the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a Certificate of Appealability is DENIED.

ENTER: October 22, 2009

/s/ JAMES P. JONES
Chief United States District Judge